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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/618,162	07/17/2000	Hiroaki Nakamura	Q58736	7412

7590 05/19/2004
Sughrue, Mion, Zinn, Macpeak & Seas
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037

EXAMINER

LAMB, TWYLER MARIE

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 05/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/618,162

Applicant(s)

NAKAMURA, HIROAKI

Examiner

Twyler M. Lamb

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☒ Claim(s) 8-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Notice to Applicant (s)

1. This action is responsive to the following communications: amendment A filed on 3/4//04.
2. This application has been reconsidered. Claims 1-20 are pending.

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Ikeda et al. (Ikeda) (US 5,138,443).

With regard to claim 1, Ikeda discloses a storage printer (Figure 1) comprising: an image processing unit (Figure 2) that analyzes an original image data acquired from an image data supply source (color reader 1) to set image processing conditions and which processes said original image data in accordance with settings of the image processing conditions so as to produce outputting image data (col 6, lines 26-68); a printing unit (color printer 2) that makes a print using said outputting image data (col 6, lines 35-39); a storage (which shows a couple of the memories used to store processed data) (Line

Art Unit: 2622

Memory O) (RAM 78a) for storing a result of processing in said image processing unit (col 6, lines 56-68), (col 8, lines 31-68); and a reading unit 9 (CCDs 500a) that reads said result of processing from said storage (col 9, lines 1-68) and supplies it into either said image processing unit or said printing unit or both (col 9, lines 1-68).

With regard to claim 2, Ikeda also discloses wherein said result of processing in said image processing unit is at least one member of the group consisting of said outputting image data (which reads on processed signals after various processing operations) (col 4, line 42 – col 5, line 22).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda et al. (Ikeda) (US 5,138,443) in view of Haraguchi et al. (Haraguchi) (US 6,222,613).

With regard to claim 3, Ikeda does not teach wherein said storage is a removable storage medium.

Haraguchi discloses an image processing apparatus that includes wherein said storage is a removable storage medium (col 9, lines 1-37).

Art Unit: 2622

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ikeda to include the storage medium being a removable storage medium as taught by Haraguchi. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ikeda by the teaching of Haraguchi so that the media storing the image data can be read by a computer as taught by Haraguchi in col 9, lines 1-10.

With regard to claim 4, Ikeda does not teach wherein said storage medium is at least one member of the group consisting of a digital video disk, a recordable compact disk, a semiconductor memory, a magneto-optical recording medium and a removable hard disk.

Haraguchi discloses an image processing apparatus that includes wherein said storage medium is at least one member of the group consisting of a digital video disk, a recordable compact disk, a semiconductor memory, a magneto-optical recording medium and a removable hard disk (col 9, lines 1-37).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ikeda to include said storage medium is at least one member of the group consisting of a digital video disk, a recordable compact disk, a semiconductor memory, a magneto-optical recording medium and a removable hard disk as taught by Haraguchi. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ikeda by the teaching of Haraguchi so that the media storing the image data can be read by a computer as taught by Haraguchi in col 9, lines 1-10.

Art Unit: 2622

With regard to claim 5, Ikeda does not teach wherein said storage is externally connected thereto via a wire or radio waves.

Haraguchi discloses an image processing apparatus that includes wherein said storage is externally connected thereto via a wire or radio waves (col 9, lines 1-37).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ikeda to include the storage is externally connected thereto via a wire or radio waves as taught by Haraguchi. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ikeda by the teaching of Haraguchi so that the media storing the image data can be read by a computer as taught by Haraguchi in col 9, lines 1-10.

With regard to claim 6, Ikeda does not teach further comprising: a transmission unit for supplying an external equipment with at least one member of the group consisting of said original image data, said outputting image data and said image processing conditions.

Haraguchi discloses an image processing apparatus that includes further comprising: a transmission unit for supplying an external equipment with at least one member of the group consisting of said original image data, said outputting image data and said image processing conditions (col 8, lines 17-42).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ikeda to include further comprising: a transmission unit for supplying an external equipment with at least one member of the group consisting of said original image data, said outputting image data and said image processing

Art Unit: 2622

conditions as taught by Haraguchi. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ikeda by the teaching of Haraguchi so that the image data can be transmitted to the exposure processing section to be exposed to photosensitive materials to further produce prints as taught by Haraguchi in col 8, lines 17-42.

With regard to claim 7, Ikeda does not teach further comprising: a display unit for displaying said outputting image data before said printing unit makes the print.

Haraguchi discloses an image processing apparatus that includes further comprising: a display unit (CRT 8) for displaying said outputting image data before said printing unit makes the print (col 11, lines 13-40).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ikeda to include further comprising: a display unit for displaying said outputting image data before said printing unit makes the print as taught by Haraguchi. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ikeda by the teaching of Haraguchi so that the image can be viewed as taught by Haraguchi in col 11, lines 32-40.

Allowable Subject Matter

6. Claims 8-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments filed 3/4/04 have been fully considered but they are not persuasive.

Applicant argues the image processing unit is displaced from the printer and that the image processor of Ikeda does not analyze the original image as described in claim 1.

Figure 1, col 4, lines 22-41 discloses the image processing unit and the printer being in one embodiment. Col 6, lines 26-68 analyzes the original image

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2622

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Twyler Lamb whose telephone number is 703 - 308-8823. The examiner can normally be reached on M-TH (8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-308-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9314 for After Final communications.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

or faxed to:

(703) 872-9314

(for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

Crystal Park Two
2121 Crystal Drive
Arlington, VA.
Sixth Floor (Receptionist)

Twyler Lamb



May 17, 2004